App. F. IX-4

1935-36
(Revised)

File No. 15-8-35
Serial Nos. 1-8

Previous References

S 10 34 8-9
U 253 33-16

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-8

Part B for June 1936

SUBJECT.

Petition of Basappa of Vadigenahalli, Devanahalli Taluk praying that the quit rent fixed in respect of lands endowed to Sri Bhavanabasaveshwara Swami at Vadigenahalli may be reduced from Rs 250-0-0 to Rs 125-0-0 per year.

No 635-3 Date 29th May 36

To M. R. Basappa, Vadigenahalli
Devanahalli Taluk

I am directed to request that the
[illegible]

Petition dy 12-7-35 filed by Mr K. T. Bhashyam Degree Advocate from petitioner Basappa Son of Kanchamma - Vadigenahalli Devanhalli Taluk praying that the rental of the Inam endowed to Sri Channakeshavaswamy Swamy temple at the place be lowered to Rs 125/- per annum and assist he will be put to considerable loss and injury if he is called upon to pay at Rs 250/- per year.

(1) Minute of the Secretary Member of Council on the P. G. D.:—

To Office.

Please examine the petn"

2) It is seen that the petitioner has avoided inviting refce to the previous orders passed on the subject enquire.

3) The matter was in appeal before Govt. Hence refce is invited to the note and orders in paras 13—20 in Mis 253-33-4: the petr has been informed that no concession is called for.

4) Later on he petitioned to H. M. on the same subject & this has been rejected - Vide Mis 10-34-8 Sy. An endorsement to that effect has been issued - Vide this office Endt no 1379 dy 25/4/

In these circumstances no further action

X X

NOTE—Contn Sheet

~~is called for;~~ ~~to~~ No fresh grounds have been adduced by the petitioner as for reducing the rent payable ~~by~~ for the lands of the temple to him. It is therefore a point for orders whether there is ~~not~~ necessity to reconsider the orders already passed by Govt. in the matter.

16-1-35

Kind ref is invited to my note dt 20.4.34 at paras 13 to 17 (pages 3 & 4) of the note in my file No. 25-3-33 of the 2 Members & Sl 1-4 pm up and the II Members & Dewan orders thereon.

In para 12 of the present petn petr prays for relief "as a concession from Govt" and not "in any form of right vested in him".

Perhaps a report may be called for from the Dy. C. as to the present yield of the lands. A

16/7/35

Gen: Secy)

II Member

1) Hon 17/7

18/7

Petr) He is a persistent petr. I have no objn to A

SPR 20/7 Hon

GENERAL BRANCH 17 JULY 1935 4.36 P.M.
OFFICE OF THE SECOND MEMBER OF COUNCIL 18 JULY 1935 No.

Petition of Basappa of Vadigenahalli — for a reduced lease amount.

General and Revenue Secretariat. | Mysz File No. of 193 . | [App. F. III-2

12) Memo put up on the P.C. dis for approval or other orders —
G.V. Nos
2217/35-37

13) 2nd 2/1937

No. 68 of 31-7-1935 to the Mysore Commissioner calling for a report Letter no Ho a/35-36 of 17-12-1935 from the Mysore commissioner submitting a report as to the yield from the lands of the temple referred to therein.

14) The true facts of the case are set forth in the order of the M.C. (M.C. No. 21, dis 179/29-30 of 13-1-30) in my appeal no 60 of 28-29 on the file of this Court. The petitioner now before Govt as the first appellant in the M.C.'s Court agreed to pay annually Rs 250/- for the benefit of Sri Channabasaveswara Swami temple at Vadigenahalli for a period of 20 years on account of the temple lands. Accordingly he and his relative have executed a lease bond on 12th April according to which he is to pay Rs 250/- annually for the benefit of the temple. Just a year after he entered into the lease, the lease amount was allowed to fall into arrears & coercive measures appear to have been taken for the recovery of

E—Contn. Sheet.

The only [illegible] the matter were [illegible] notice of the D.C. [illegible] ordered on 19-12-32 Nizd (vide letter No P.C. 1?) that the balance of Rs 250/- (one) [illegible] American [illegible] in 2 [illegible] alluvents [illegible] Worth the then current R[illegible]. Not being [illegible] ed with this, the [illegible] preferred an appeal [illegible] before Govt during the year 33-34. His request for remission the balance amount to Rs 125/- p-a was negatived - vide [illegible] orders in paras 13 — 20 in Mem 25-3-33-4 - Later on he prayed for a review of orders passed already — Vide orders in Mem 10-34-4 - His petition was rejected —

Page 3 of the note - W

Now again he has petitioned on the same subject. In para 4 of the P.U.D he says that he is able to secure only 100 to Rs 125/- from the lands annually - This is not true as seen from the estimated income now reported the income is found to be Rs 2?1/- on the basis of the estimate made in 1934 especially when there was a scarcity of rains — even any good year — This estimate does include the income from the orchards maintained in the premises of the temple - Further in para 6 of the P.U.D he says that he has to pay more than half

P.U.D

There is nothing in the records the connected records to prove this [illegible]

Serial No.

the (lease) amount from his pocket till to submit that this is not also acceptable in view of the present report. Both in appeal and in review petn he has urged already all his grievances & his prayer has been negatived — On the local officers personal investigation & inspection the lease amount of Rs 250/- was fixed and the petitioner very willingly accepted the same & executed the lease deed — In these circumstances whether a further consideration of the case is called for is a matter for orders —

Gr 7/1/35

(2) The petitioner's request for a reduction of the rent (or Nozar) due by him was from Rs 250 to Rs 125 was rejected by govt. (Vide 15-33 mung. 253-33 dated 28th may 1934). The request of the petitioner for a re-consideration of this order also was refused. (Vide endt. No. 1379 mung. 10-34-9 dated 25th April 1935). It is a point for orders whether there is any necessity to re-consider the decision of Govt. in view of the facts stated in the G. R. D. and the first number orders contained in para 19 of the notes in mung. 253-33.

F

X

W

NOTE.—Contn. Sheet.

WD 03594—GPB—80,000—18-7-35

Petrs — one Ramakrishna —
Re: reduction of quit rent amount in
respect of lands belonging to Sri
Chennabasaveshwara Swamin at Vaddi Genahalli
Devanagere Tq.

File No. 158 of 193 36 General and Revenue Secretariat

17 The Dy. Comr. forwards the report of the
Dy. Wherein it is stated that it is
estimated by the Amildar that the yield
for the Dry lands would be Rs 200/- & that
of Wet lands Rs 88/- or Rs 288/- in all.
To this has to be added the income from the
Oil mill existing within the temple premises.
The Dy. of the petnr in para 4 of the
Stmt that he is able to realise only Rs 100/-
to Rs 125/- for the lands annually is not
borne out. The petn may perhaps be
rejected.

19) Respe:— Members orders at paras
10 & 11 Supra.

8/11/36

(Gen: Secy)

9/1/36

9/1/36

21) I agree

13/1

13/1/36

16/1/36

16/1/36

OFFICE OF THE
FIRST MEMBER OF COUNCIL
9 JAN. 1936
No. 482

GENERAL
x Page
Note (a)

Serial No.	
4	No 966 dy 17.1.36 to the Advocate for the petitioner intimating that the petition referred to therein has been rejected for reasons set forth therein.
	No 967 dy 17.1.36 to Basappa Vadigenahalli Devanahalli Taluk forwarding Copy of the above for information.
	No 968 dy 17.1.36 to the Asstt Commr returning the records received from him on the subject.
R 17.1.36	Petition dy 21st January 1936 from K. Basappa of Vadigenahalli praying for the remission of the arrears of Rs 125/- p.a. for the past 6 years from 1930-31. in respect of the grants on lands endowed to the temple of Sri Channabasaveswara Swamy at his place - P.U.D.: Orders of the Gen. Secy. on the (Initd) M.V. 29.1.36. petition put up with papers:
× dy	It is seen from para 1 of the petr dy 4.11.1933 that the petr & his ancestors have been managing the affairs of the temple The M.E. when the case was before him has observed in his decision dy 13.1.30 that the Vakil stated that the income was not being utilising for the benefit of the temple - It is on account of the mismanagement steps were taken to lease
B.	

NOTE.—Contn. Sheet.

WD 01591—GPB—30,000—18-7-35

over the lands - The petns & his relatives, are Kallaiwa (appellants before the M.C) agreed to pay annually 250/- Rs for a period of 20 years - This was considered fair by the M.C & the petners were allowed to remain in possession of lands - The M.C. has no doubt clearly stated in his order that the rate viz 250/- grilla will be liable to revision at the end of 20 years. A lease bond on a regularly stamped paper has also been executed by the petner as has already noted in para 4 supra - Both in appeal and in review & in a further petn of 12.7.35 his requests for the reduction of the grilla amount to Rs 125/- p.a have been negatived - (Vide orders in paras 19-20 in mercy 25-3-33-45 para 6 & in mercy 10-34-9 & in paras 17-21 supra).

25. In the present petn viz the P. W. D, the petner speaks as if he had asked in his previous petn for a remission to the extent of Rs 125/- p.a - of the arrears of grilla payable on the lands for the past 5 yrs & from 1930-31 on account of insufficient water supply in the tank. This is not true & he never moved this in any of his previous

Serial No.

petitions — This remission question did not form the subject matter in the appeals either case heard & decided by the Board of Revenue nor has it a matter pleaded before the Courts in appeal & in revision Staffs — & as such it is held that it is inadmissible now as it is altogether a fresh point altogether & is also held that the cases cannot go behind the terms of the lease deed executed by them in 1930 ~~Please put up with references~~.

Held accordingly with necessary regs

GS 1/2/36

26) With reference to the facts stated in para 25 of the notes, especially in the portion marked A, it will be seen that the petitioner states that he orally requested the Asst member to remit at least the rent (ar gutta) payable by him for the past five years. He states that he has submitted a petition on this point as he is alleged to have been permitted by the Asst member to do so. (Vide para 1, subpara (c) of the P. U. D). The facts of the case are explained in para 16 of the notes and the Asst. Secretary's note contained in para 17 of the notes.

X A Parts of this

~~Rgs~~ 27) The question of remission has

3.2.36.

NOTE—Contn Sheet.

WD 03594—GPB—30,000—18-7-35

been raised in any of the previous petns.
If this is to be considered the actual yield from the lands etc have to be ascertained.
The previous papers are submd.

3/2/36

GENERAL SECTION
3 FEB. 1936

Gen: Secy) 28) Please call for report on this new request

6/2

29) Memo of forwarded to M.C. Bangr
order P. No. 1 is dated 6/2 approved

6/2

30) 6/2

No 1071 dated 6-2-36
petition sent to M.C. for favour of a report in full about the remissions prayed for and the actual yield of dry and wet lands of the temple

Letter no 1065 of 18/5/36 from the Muzrai Commissioner submitting the Bangalore Deputy Commissioner's report No C3-3003/35:36 of 1/5/36 in the matter

31) Kind regd is invited to the orders in paras 19 & 20 - page 4 of the note in Vol 25 3-33-4 part of. wherein it has been already pointed out that no concession is called for

Serial No.

This has been agreed to by the Diwan.

32) About the remission of the amount due by the petr to the temple received in reference from the same gentleman April 1935, the petn was rejected. Vide Endt No 1379/mez 10-34-9 & 25/4/35.

33) Later on in July 1935 another petn from the same gentleman was received which is invited to the observations here in 10 page 2 of the rolls. The petn is remarked to be a previous petn; a report was called for on the petn in view of the report and as stated in paras 17-21 supra. The petn was rejected. Vide Endt No 966 of 17.1.36 issued to the Counsel to the petn. Copy of which was sent to the petn also in this Office Memo No 967 of 17.1.36. Thereafter the petn again P.W.D was received in June 1936 & a report was called for. In view of the details given by the D.C. in his report of 1.5.36 stating among other matters that the petn to himself responsible for bearing the land taxes during that fr

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7 35

It is respectfully submitted that no further consideration is called for. It is in the case in that the petitioner was allowed to be in possession of the Devadaya Inam lands though he was not found to have properly utilised the proceeds thereof for a number of years. The Tahsildar agreed to pay an annual of Rs 250/- & executed a bond to that effect. The A.C. reports that even if the Personal Cultivation was adverse, the Inamdar cannot claim remission under rule 8 of the Inam rules. See the Date of the bond Rs Aft 30, he enjoyed the Inam lands & the income from the same, without utilising the same properly for the purposes for which it had been granted & this is a case of misuse of income. Under the present System a certain amount only of the Inam proceeds viz Rs 250/- will be retained for the expenses of the temple under the orders of the Inam Officers & the rest kept at the credit of

* of the Vernacular records.

1/100 Petition of Vadigenahalli Ramappa — for a reduction in the lease amount

General and Revenue Secretariat — File No. — of 1935-36. — [App. F. III—2

Serial No.	
	The Govt for its benefit has thereby deprived the chance of using the rest for his own use —
	34) The D.C. in his report has observed that his request has rejected by Govt several times the has now sought to renew it in another form as a request for remission — In the circumstances reported the request is untenable. Submitted for orders
	G.S. 2075
	35) In 1931-32, the land was left fallow due to the neglect of the petitioner himself. No question of remission arises in respect of that year.
	36) But in 1934-35, the land was not cultivated for want of water in the tank. If any concession is to be shown to the petitioner, it may be in connection with the kutta amount of this year.
	21 MAY 1936 695
	Gen. Secy 37) Submitted for perusal Secy 20/5/36
	38) Orders in para 21 were communicated. Petr. made a new request for remission on account of failure of water supply. The DC reports that there can be no remission in these cases.

NOTE—Contn Sheet.

WD 03594—GPB—30,000—18-7-35

Mug File No. 158 of 193 5 General and Revenue Secretariat

3c) The party will be informed that the request cannot be granted

Sd 21/5/36

First Member) 4c) 22/5

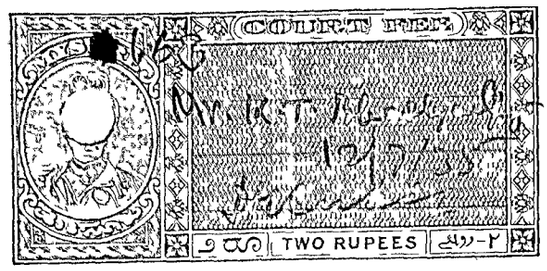
4d) Draft dcg 25/5/36

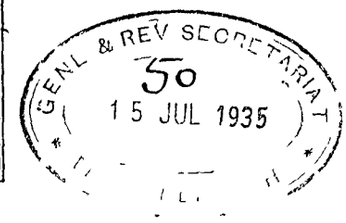
42 Dft. Ord Cs 22/5 25.5.36. 43 Issue dcg 28/5/36

Endt No 1653 dy 29.5.1936 from Mr K. Basappa of Vadigenahalli declining to grant appln request.
Memo No 1654 dy 29.5.36 to the Mysore Commissioner forwarding Cy of the above Endorsement.

B 30/5/36

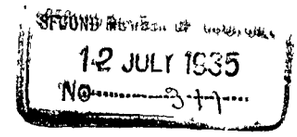
16/6





Misc 158-35-1

BEFORE THE GOVERNMENT OF H. H. THE MAHARAJA OF MYSORE - BANGALORE.



Muzrai Petition No. of 35-36.

Petitioner:

Basappa son of Karibasannanavaru,
residing in Vadigenahalli, --
Devanahalli Taluk, Bangalore Dt.

*****

Prays he may be heard
12-7-35

The petitioner abovenamed begs to state as follows:-

1. That petitioner is the Dharmakartha - of the Sri Chennabasaveswara Swami Temple at -- Vadigenahalli.

There appears Please examine the petn

2. That the said temple is a Muzrai Institution and the Government have endowed certain - lands to it.

SP
12/7

3. That the said lands have been leased to the petitioner by the Government on a rental of Rs 250/- per year, as per Muzrai Commissioner's order in Muzrai Appeal No. 60/1928-29.

12/7

4. That the prices of foodstuffs have since fallen considerably and petitioner is able to recover only Rs 100/- to Rs 125/- from the lands ---- annually.

5. That the original amount of Rs 250/- per year was fixed at a time when the yields were better and the prices also high.

6. That by reason of the fall in prices and the yield, owing to scarcity of rains --- petitioner has had to pay more than half the - amount from his pocket.

7. That the tasthik of the temple is --- about Rs 100/- and petitioner undertakes to see - that the puja and other services are properly - performed.

8. That in the interests of justice and equity it is highly necessary that the rental - should be lowered to Rs 125/- per year.

9. That if need be the actual and possible yield and the price it would fetch may be enquired into and verified.

10. That in case the prices increase or the yields are better petitioner undertakes to pay such higher rental as may be considered reasonable by - this Honourable Government.

11. That petitioner will be seriously prejudiced and put to considerable loss and injury if he is called upon to pay Rs 250/- per year.

12. That petitioner respectfully prays for the relief as a concession from Government and does not seek the relief on any ground of right vested in him.

The petitioner most humbly prays that the matter

matter may be enquired into and reports called for, if need be, and petitioner granted such -- relief as may seem just and proper under the circumstances.

Bangalore City,
12th July 1935.

K.T. Nachyappaiya Ry.
Advocate for Petitioner.

Memo No 68/Mem 8 31-7-1935 Mem 158-35-2

HC 9/35-36

OFFICE OF THE ... IN MYSORE ... No. ... 1 AUG 1935

Forwarded with compliments to the Deputy Commissioner for submission of a report as to the present yield of the Mam lands, the return of the petition is requested.

By order

Secretary to Govt

For General

GS

HC 9/35-36 3/8/35

Memo.

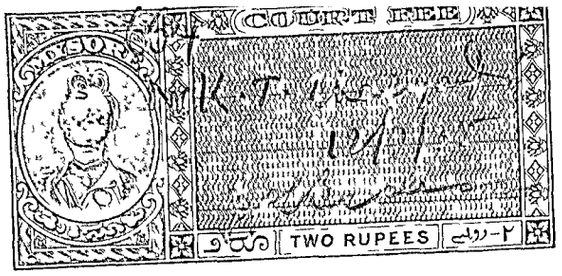
Forwarded with compliments to the Deputy Commissioner, Bangalore District for favour of submitting a report as to the present yield of the Inam lands, the petition ... the return ...

DEPUTY COMMISSIONER'S OFFICE ... AUG 1935 ... 2255 ... BANGALORE DIST.

C3

For Municipal Commissioner

2/8/35



Before the Hon'ble the Chief Justice

In the High Court of Mysore

BANGALORE.

Misc. Petn No. OF 1955-56

Basappa

vs.

Messrs K. T BHASHYAM IYENGAR, B.A., B.L , & M. SESHADRI, B A., LL.B ,
Advocates

.....Basappa.....the Petr ...abovenamed do hereby nominate and appoint the said advocates in the above case and do hereby empower the said advocates to appear for and on ...my..behalf in the above case, to take all steps which may be necessary on...my.. behalf arising out of or in connection with the above case either during progress or after its decision to sign and subscribe their names to any document which they may deem proper to execute any decree that may be passed in ..my..favour and to receive out of the Court any refund of money wich may be lodged or become payable or receivable on ..my....behalf and on receipt thereof to grant receipts or other sufficient discharges for the same, to withdraw, compromise or refer to arbitration the said case to appoint one or more substitute or substitutes and to act and perform all other matters and things relating thereto or connected therewith, to represent ..my.. in matters relating to the same and to act as fully and effectually to all intents and purposes as ...I... might do if personally present and did the same. And I do hereby agree to pay all fees, costs, charges and expenses which may be incurred and to allow, ratify, and to confirm whatsoever the said Advocates shall lawfully do or cause or procure to be done by virtue of these presents.

ನಿವೇದಕರು

Accepted ನಿವೇದಕರು

Signed before me by the executant who is known to me

Advocate

Advocates for

12-1

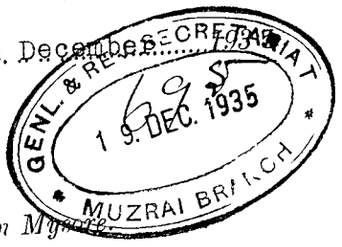
Yajaman & Son, Bangalore City.

M C 13.] No. HC-9-3C-35

Exc Ifile Mg

OFFICE OF THE MUZRAI COMMISSIONER,
IN MYSORE,

Dated, Bangalore, 14th December 1935

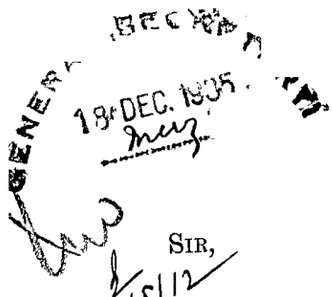


FROM K. V. ANANTARAMAN, Esq., B.A.,
~~N. MADHAVA RAO, Esq., B.A., B.L.,~~
Muzrai Commissioner in Mysore.

Muz 158-35-3

To

Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
General *Department.*



SIR,

Petition of Basappa of Vadigenahalli, Devanhalli Taluk, praying that the gutta fixed in respect of lands endowed to Sri Chennabasaveswara Swami at Vadigenahalli may be reduced from Rs.250-0-0 to Rs.125-0-0 per year.

Adverting to your Memo No.68/Muz. dated the 31st July 1935 calling for a report as to the present yield of the inam lands endowed to the above temple, I have the honor to state that the Deputy Commissioner, Bangalore District, reports in his letter No.C.645/35-36 dated the 11th December 1935 (copy enclosed) that it is estimated by the Amildar that the yield from the dry lands would be Rs 200-0-0 and that of the wet land Rs 88-0-0 on the basis of the estimate made in 1934.

The petition received with your Memo under advertance is returned with the connected records.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Letter No.C3-645/35-36 dated 11-12-35 from the Deputy Commissioner, Bangalore District, to the Muzrai Commissioner in Mysore.

With reference to your letter No.H.C.9/35-36 dated 3-10-35 calling for a report regarding the present yield from the inam lands endowed to the Sri Chennabaseveswaraswami temple at Vadigenahalli, Devanhalli Taluk, I have the honor to state that in a mahazar dated 28-10-35 the raiyats of the village have estimates the value of the yield from the dry lands S.No.60 (5 ac.-27g.) and S.No.67 (11ac.-27g.) endowed to the temple at Rs 170-14-0. They have stated that the wet land belonging to the temple viz., S.No.92 measuring 2ac.-34g and assessed at Rs 22/- is lying uncultivated and I have therefore not offered any estimate of its yield.

The Amildar however reports that on personal inspection the Revenue Inspector has ~~inspected~~ estimated the yield from the dry lands at Rs 200 and that the yield from the wet land may be taken at Rs 88/- per year on the basis of the yield estimated in the mahazar dated 3-11-35.

The connected records accompany.

"Copy"

For Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

General and Revenue Secretariat,

Dated, Bangalore, 17th January *193* 6

No. 966
Muz 158-35-4

ENDORSEMENT.

~~OFFICIAL MEMORANDUM~~

To

Mr. K.T.Bhashyam Iyengar, B.A., B.L.,
Advocate, Cottonpet, Bangalore City.

Dear Sir,

With reference to petition dated 12th July 1935 filed by you on behalf of Basappa praying for a reconsideration of orders passed about the reduction of the lease amount of lands endowed to the temple of Sri Channabasaveswaraswami at Vadigenahalli, Devanahalli Taluk, I am directed to inform you that Government see no reason to modify the orders already passed both in appeal and in Review on the subject which have been communicated to the petitioner in this office memo No.1554/Muz. 255-35-4 dated 28th May 1934 and in endorsement No.1379/Muz. 10-34-9 dated 25th April 1935 and that the petition is therefore rejected.

Yours faithfully,

for General Secretary to Government.

Ms. 468 dy 17-1-36 /Encls.
Udly W.M.C. returning records received with his
letter no ~~No~~ 9/35-36 dy 17-12-1935

S.O

for Gen Sec

Cc

Appendix F G—11

SUBJECT .....

.....

Section Mis

File No. 158-35

Serial No. 4

No. 986

To

Mr K. T. Bhashyam Iyengar BA BL

Advocate Colombo

Bangalore city

Diary No. of letter replied to ....635....

General and Revenue Secretariat

( )

the 193 .

Date of issue ....17-1-36....

Signed by Mr B. M-

List of enclosures .....

Copied by .....

Examined by.....

Dear Sir,

With reference to your petition of 12-7-35 filed by you on behalf of Basappa Vaidyanathaiah Devarahalli praying for a reconsideration of orders passed ~~therein~~ in appeal ~~and revision~~ about the resumption of the lease amount of lands endowed to the temple of Sri Channa-keshavaswamy Swamy at Vaidyanathapalli Devarahalli Tk, I am directed to inform

Yrs that Govt. sec. have no reason
to modify the orders already passed
both in appeal and in revision orders
Subject which have been communicated
to the petr in this office memo no 1354/mrg
& 2857/34 & in Govt no 1379/mrg 10-34-9
& 2574/35- & hence petn is therefore
rejected -

Yours faithfully

16/1/36

967/mrg & 17-1-36 Forgen sec
Copy to Mr. Basappa Sonag
Asst Basannanavar residing
in Vadigenahalli Devanahalli Tk.
for information -

B-O

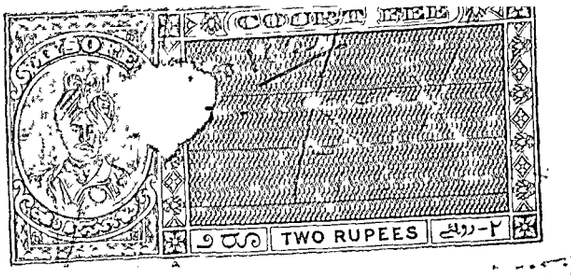
16/1/36

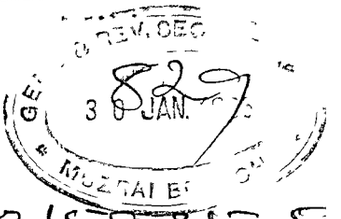
968 & 17-1-36 Forgen sec
Copy the M.C. returning records
received with his letter No HC 9/35-36.
dt. 17-2 1935-

B. O

16/1/36

Forgen sec





To

The General Secretary
to the Government of His Highness
the Maharaja of Mysore, Bangalore.

Reference:- Your Office Endorsement NO: 967/ Muz. dated 17 th.January 1936 regarding reducing the gutta payable in respect of the Inam lands endowed to Sri-Channabasaveswara Swamy Temple, Vadigenahalli, Devanahalli Taluk.

Respected Sir,

With the above endorsement, I paid my respects in person to the First Member of Council to H.H. The Maharaja of Mysore on the morning of 20 th.January 1936 and represented to him orally as follows : -

a) That two points were raised in my previous petition leading to the said endorsement , Viz., 1) for reducing the annual gutta to Rs: 125/- and 2) remitting the arrears of gutta payable on the said lands for the past five years from 1930-31 uptodate, for consideration and favourable orders by Government;

b) That both these points were negatived by the orders of Government so kindly communicated to me in the said endorsement;

c) That these orders would seriously affect me as a great hardship and that the Government may be pleased atleast to order the remission of the arrears of the gutta amount payable by me for the past five years.

2. At the end of the interview with the Member, he was graciously pleased to instruct me to file a separate application to your Honour praying for the remission of the said arrears of the gutta amount and I do hereby submit this petition accordingly for a R e v i e w of the orders already passed by Government in the matter, on the

special grounds : -

1). That two kandies of land Viz., one kandy wet land and another kandy of dry land were endowed for the maintenance of the temple referred to above;

2). That these lands have been allowed to be enjoyed by us under lease for 20 years on an annual gutta of Rs: 250/- from 1930 - 31 ;

3). That of these two kandies only one kandy of dry land has b n cultivated for the past five years and the othe. wet land of one Kandy is lying idle un-cultivated not for any fault on the part of the lessee but for want of supply of tank water which -Government were bound to supply according to rules;

4). That inasmuchas the said wet land of one kandy has not been cultivated for want of water supply which should have been effected by the lessor (Government) the lessee - petitioner is entitled according to rules to the remission of the assessment (gutta) in this case to the extent of Rs: 125/- per annum payable as such on the said wet land for the last five years from 1930 - 31;

5). That inasmuchas the land is endowed to the temple which is a Muzrai Institution and the petitioner has come up to Government in appeal against the orders of the Muzrai Commissioner, the petitioner humbly submits that orders for the remission of the five years' arrears of the gutta amount payable by him should only be passed by the benign Government itself and not by the Muzrai or Revenue Commissioner who may not be willing to do so under the peculiar circumstances of the case.

3. In the circumstance I most humbly and respectfully pray that the benign Government may be graciously pleased to order the R E M I S S S I O N of the arrears of Rs: 125/- per ~~a~~ m for the past five years from 1930 - 31 in favour of the petitioner.

For which act of Grace, I beg to remain,

Respected Sir,
Yours most obediently.

Bangalore City.
21 st. Janry. 36.

Petitioner,

ಕ ಅಸಾ ಪ್ರ.
ತಾ. 29. 1. 1936

Address :-

Basappa, son of Karibasappa,
Vadigenahalli,
Devanahalli Taluk.

C.V.C. C107. E.B. 1936 35-86

ಮೆಮೊ ನಂ 1071/ಮುಜ 158-35-6 ತಾ 6-2-36

Forwarded with Compliments to the

Muzrai Commissioner for

a report in full about the remission prayed for by the petitioner and the actual yields of the dry and wet lands of the temple, oil mills etc. with the connected records. By order

6/2/36

for General Secretary

ತಾ 4/2/36

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Gen. Records &c.

Rev 158-35-7

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore,.... 16th. M..a..y.... ....193 6

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FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore.

To

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,

.....General..... .....*Department.*

18 MAY 1936

SIR,

Petition of Basappa praying for the remission of the gutta amount due in respect of lands endowed to Sri Channabasaveswara Swami Temple at Vadigenahalli, Devanahalli Taluk.

Adverting to your Memo No.1071/Muz.158-35-6 dated the 6th February 1936 calling for a report re. the above, I have the honor to forward herewith a copy of Bangalore District Deputy Commissioner's letter No. C3-3083/35-36 dated the 1st May 1936 which contains the information called for.

The petition received with your Memo under advertance is returned herewith.

The connected records accompany.

I have the honor to be,

Sir,

Your most obedient servant,

K V Ananthaman

Muzrai Commissioner.

Letter No.C3-3083/35-36 dated 1-5-36 from the Deputy Commissioner Bangalore District, to the Muzrai Commissioner in Mysore.

With reference to your Official Memorandum No.C.1065/35-36 dated 15-2-1936 calling for a report on the petition of Mr. K. Basappa of Vadigenahalli village, Devanhalli Taluk, praying for remission of half the gutta amount due by him in respect of inam lands endowed to Sri Channabasavaswami temple at Vadigenahalli, I have the honor to forward herewith the records received with Memo No.A2.P.R.142/35-36 dated 31-1 1936 from the Sub Division Officer, Dodballapur, and to state as follo

(2) The temple in question is endowed with 17 acres and 19 guntas of dry and 2 acres and 34 guntas of wet lands which are all in the petitioner's enjoyment. It was originally proposed to dispossess him of the lands and lease them out as he was not found to have properly utilised the proceeds thereof, but as a matter of grace, he was allowe to continue in possession of the lands for a period of 20 years from 1 1930-31 as he undertook to pay R 250 per year as gutta (vide your orde No.D1 Dis.179/29-30 dated 13-1-1930). It is seen from the records tha he has paid this gutta amount only for two years viz., 1930-31 and 1931-32 and that he has been agitating ever since for reduction of the gutta amount to R 125. His request has several times been rejected by Government and he has now sought to renew it in another form as a request for remission of half the gutta for the past five years on the ground that the wet land has not been cultivated on account of failure of ~~xxx~~ rains. It is, however, seen from the phani extract enclosed in the records that it was cultivated during all these years except 1931-32 and 1934-35. The Amildar has reported that the neighbouring lands were cultivated in 1931-32 and that the petitioner is himself responsible for leaving the land fallow. In 1934-35, the land was not cultiv te for want of water in the tank. Even if the seasonal conditions were adverse, the guttadar cannot claim remission (vide Rule 6 of the Gutta Rules).

The oil mill belonging to the temple is reported to be worn-o now. It is, therefore, yielding no income. The wet and as have been yielding a 8 anna crop, the value of which in the present condition, is R 288 as already reported in letter No. C3-345 dated 10-12-1935.

"COPY" M. N Ananthanarayana

for Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore ... 28th May 1936.

No. 1653/Mug 158-35-8 29

ENDORSEMENT.

Mr. K. Basappa, son of Karibasappa, Vadigenahalli, Devanhalli Taluk.

With reference to his petition dated 29th January 1936 praying for a reduction of the gutta amount due in respect of the devadaya inam lands of Sri Channabasaveswara Swami Temple at Nanjanahalli taken by him on lease from Rs.250 to Rs.125 per annum, Mr.K. Basappa is informed that his request cannot be granted.

By Order,

Sd/- Channabasappa

for General Secretary to Govt.

Memo No 1654 dt 29/5/36.
Copy to D.C.

SUBJECT .....

.....

.....

Section

File No. 158-35

Serial No. 8

Diary No. of letter replied to .....12.66.....

No. 653

To

Sri K. Basappa. Secy

Kaibasappa Vadigenahalli

Devanhalli Tk.

Date of issue 29-5-36

Signed by H.Y.D.L. Subbarayappa

General and Revenue Secretariat

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Lr. copy of his Lr. dt. 29.1.36. praying for a reduction of the Quit amount due to Devasthana for 5 yrs from 1930-31 in respect of the devastana inam lands of Vadigenahalli Sri Channa Basaveswara Swamy Kaipale at Vadigenahalli, Devanhalli Taluk from Rs 250 to Rs 125/- i.e. taken by him on lease from Rs 250 to Rs 125 per annum for 20 yrs

Basappa is informed

List of enclosures .....

Copied by .....

Examined by.....

Cannot be granted

B.O

29/5/36

For Secy

Memo No 1[illegible] dated 29-5-36 Copy forwarded for information.

Record received with letter No 1065-/36-26 dated 18/5/36 on the subject mentioned hereinafter.

B.O

GS [illegible] For Secy